

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AEGEAN MARITIME PETROLEUM S.A.,

CASE NO. 2:15-cv-00172-JHC

Plaintiff,

**ORDER DENYING MOTION TO STRIKE
(DKT. # 138)**

V.

KAVO PLATANOS M/V, ET AL.,

Defendant.

This matter comes before the Court on Defendants' Motion to Strike Allegations of the

Third Amended Complaint and Motion to Make More Definite and Certain. Dkt. # 138.

Defendants seek to strike certain portions of Plaintiff's third amended complaint (Dkt. # 137 at 2,

¹⁰⁾ under Federal Rule of Civil Procedure 12(f). Dkt. # 138 at 3–4; *see* Fed. R. Civ. P. 12(f)

“The court may strike from a pleading an insufficient defense or any redundant, immaterial,

impertinent, or scandalous matter.”). Defendants also contend that Defendant’s first and second

claims for relief should be made more definite and certain under Federal Rule of Civil Procedure

^{12(e)} Dkt. # 138 at 4-6; see Fed. R. Civ. P. 12(e). (“A party may move for a more definite

statement of a pleading to which a responsive pleading is allowed but which is so vague or

ambiguous that the party cannot reasonably prepare a response.”). Plaintiff opposes, Dkt. # 141,

1 The Court has considered the materials filed in support of, and in opposition to, the
2 motion; the rest of the case file; and the governing law. Being fully advised and for the reasons
3 outlined in Plaintiff's opposition (Dkt. # 141), the Court DENIES the motion (Dkt. # 138). *See*
4 *also Chao Chen v. Geo Grp., Inc.*, 297 F. Supp. 3d 1130, 1132 (W.D. Wash. 2018) (Rule 12(f)
5 motions to strike are generally disfavored because the motions may be used as delay tactics and
6 because of the strong policy favoring resolution on the merits); *McMillan v. Cpride Grp. LLC*,
7 No. 2:21-CV-549-BJR, 2022 WL 1203741, at *7 (W.D. Wash. Apr. 22, 2022) (“Motions for a
8 more definite statement are disfavored, and ordinarily restricted to situations where a pleading
9 suffers from unintelligibility rather than want of detail.”) (citations and quotations omitted).

10 Dated this 31st day of May, 2024.

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12 John H. Chun

13 John H. Chun
14 United States District Judge
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